

Case 1:12-cr-00171-UA Document 124 Filed 03/07/12 Page 1 of 5
BRUCE S. ROSENBERG, ESQ. (BR2950)
AARON M. GOLDSMITH, ESQ. (AG4773)
212 Petit Avenue
Bellmore, NY 11710
(516) 221-1108
Attorneys for GREGORY MIKHALOV

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

(HONORABLE J. PAUL OETKEN)

UNITED STATES OF AMERICA,)	Docket No. 12 CR 171 (JPO)
)	
Plaintiff,)	Date:
)	Time:
v.)	
)	AFFIRMATION IN SUPPORT OF
GREGORY MIKHALOV)	DEFENDANT MIKHALOV'S
)	<u>MOTION TO EXTEND TIME</u>
)	
Defendant.)	
_____)	

I, AARON M. GOLDSMITH, an attorney duly admitted to practice before the Courts of the State of New York, and the United States District Court, Southern District of New York, affirm the following upon information and belief:

1. I have filed a Notice of Appearance in this matter and represent Mr. Mikhalov with Bruce Rosenberg, Esq.; and as such am fully familiar with the facts and circumstances herein.
2. I make this Affirmation in Support of Defendant Mikhalov's Motion to extend the time to satisfy his conditions of his Pre-Trial Release; and for such other and further relief as this Court deems just and proper.
3. The Indictment was filed in this matter on or about February 29, 2012. In the instant indictment, Defendant Mikhalov is charged with Counts II and III, Conspiracy to Commit Healthcare Fraud and Mail Fraud accordingly.

4. As conditions of his Pre-Trial Release, the Court Ordered that Mr. Mihalov be released on a ONE MILLION (\$1,000,000.00) DOLLAR Bond, secured by TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS cash, and two (2) Financially Responsible Persons, amongst reporting conditions and travel restrictions. The Court Ordered that such conditions be satisfied on or before March 7, 2012.

5. As of this afternoon, Mr. Mikhalov has paid the surety cash and has obtained one (1) qualifying and approved Financially Responsible Persons to co-sign the bond. Due to the Government's rejection of one (1) individual co-signing applicant, Mr. Mikhalov requires more time to satisfy his conditions of release. Accordingly, Mr. Mikhalov respectfully requests that his deadline to satisfy conditions be extended from Wednesday March 7, 2012 to Friday March 9, 2012.

6. Counsel has spoken to AUSA Daniel Goldman regarding the instant application, and AUSA Goldman has voiced his consent hereto.

7. In order to avoid substantial and irreparable prejudice to Defendant Mikhalov, the Court grant this application in order to ensure he be afforded the opportunity of Pre-Trial Release and the opportunity to best participate in his own defense.

CONCLUSION

As a result of the foregoing facts and circumstances, Counsel respectfully requests

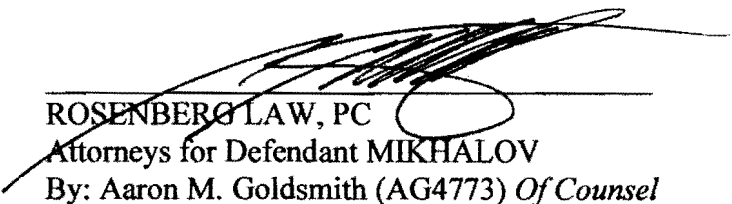
that the Court:

Order that Defendant GREGORY MIKHALOV's deadline to satisfy Pre-Trial Release conditions be extended from March 7, 2012 to March 9, 2012;

and for such other and further relief as this Court deems just and proper.

Dated: March 6, 2012
Bellmore, NY

Respectfully Submitted,

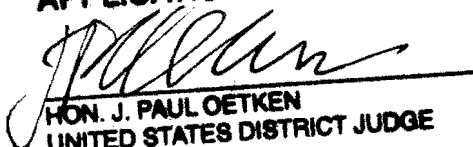


ROSENBERG LAW, PC
Attorneys for Defendant MIKHALOV
By: Aaron M. Goldsmith (AG4773) *Of Counsel*
212 Petit Avenue
Bellmore, NY 11710
(516) 221-1108

TO: *via ECF*
UNITED STATES DISTRICT COURT, SDNY
Hon. J. Paul Oetken, USDJ
500 Pearl Street
New York, NY 10007

via ECF
UNITED STATES ATTORNEY'S OFFICE, SDNY
Attn.: Daniel Goldman, AUSA
One St. Andrews Plaza
New York, NY 10007

APPLICATION GRANTED:



HON. J. PAUL OETKEN
UNITED STATES DISTRICT JUDGE

3/7/12